

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AMERICAN GENERAL LIFE INSURANCE
COMPANY,

Plaintiff,

v.

SHARON BUSHMAN, et al.,

Defendants.

Case No. 1:22-cv-01167-ADA-SAB

ORDER RE VACATING SCHEDULING
CONFERENCE, DIRECTING CLERK OF
COURT TO CLOSE CASE

American General Life Insurance Company (“Plaintiff”) filed this interpleader action on September 13, 2022. (ECF No. 1.) On August 25, 2023, the District Judge adopted findings and recommendations and granted Plaintiff’s motion for default judgment against Defendants Sharon Bushman and Heather K. Litz. (ECF No. 35.) By that order, Plaintiff was directed to pay remaining annuity payments to Defendant Micklos Lemons. Further, the Court found that all claims that could have been asserted against Plaintiff arising out of the Annuity and/or Annuity payments that are the subject of the instant litigation are dismissed with prejudice.

On October 2, 2023, the Court issued an order requiring Plaintiff notify the Court of the need for the scheduling conference set for October 17, 2023, and advise the Court of the status of this action following the entry of default judgment. On October 4, 2023, Plaintiff filed a status report which explained Plaintiff paid the September 15, 2022 payment due under annuity No. 199934 (“Annuity”), less awarded attorneys’ fees and costs, to Defendant Micklos Lemons

1 through his court-appointed conservator. (ECF No. 37.) Plaintiff further asserts that Plaintiff
2 has directed all remaining payments due under the Annuity in accordance with the Court's
3 August 25, 2023 Order such that each Annuity payment, when it becomes due under the
4 schedule set forth in the Annuity, will be paid to Micklos Lemons. Plaintiff therefore states that
5 this matter is fully resolved and there is no need to conduct the October 17, 2023 scheduling
6 conference. Plaintiff requests that the Court vacate the scheduling conference and close the case.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The scheduling conference set for October 17, 2023 is VACATED;
9 2. The case is DISMISSED pursuant to the Court's August 25, 2023 order; and
10 3. The Clerk of the Court is DIRECTED to close the file in this case.

11 IT IS SO ORDERED.

12 Dated: October 5, 2023

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14 UNITED STATES MAGISTRATE JUDGE
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